

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA (PITTSBURGH) CLERK
U.S. BANKRUPTCY COURT - WDPA

IN RE:

MATTIE M DAVID
Debtor

Case No. 18-22880-GLT

FREEDOM MORTGAGE CORPORATION

Movant

Chapter 13

Related to Dkt. No. 63

v.

MATTIE M DAVID
Respondent

11 U.S.C. §362

**MODIFIED ORDER GRANTING NUNC PRO TUNC RELIEF FROM THE STAY IN
ORDER TO PROCEED WITH LOAN MODIFICATION MORTGAGE FORBEARANCE**

AND NOW, this 26th day of January 2021, at PITTSBURGH, upon Motion of FREEDOM MORTGAGE CORPORATION (Movant), it is:

ORDERED, that approval and recording (if applicable) of the forbearance agreement shall in no way constitute a violation of the automatic stay; and it is further;

ORDERED that Movant shall be permitted to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with applicable non-bankruptcy law; and it is further;

ORDERED that Movant is granted Nunc Pro Tunc relief from Automatic Stay to cover any and all times prior to the filing of Movant's Motion that Debtor and Debtor's Counsel may have communicated directly with Movant in order to discuss this request for forbearance; and it is further;

ORDERED that the forbearance agreement is approved and the mortgage payments shall be suspended beginning with the Trustee's distribution for the month of March 1, 2020, and continuing until reinstated in accordance with the confirmation of an amended Chapter 13 plan that expressly provides the month in which the mortgage payment is to resume and which further provides, as a separate line item (in Part 3.2 of the Plan) the dollar amount of the suspended payments and the repayment terms; and it is further;

ORDERED, that any fees, costs and expenses associated with the forbearance agreement will be subject to the provisions of FRBP 3002.1, and provided further that approval of the forbearance agreement does not represent approval of the fees, costs and expenses associated with forbearance agreement and does not preclude an objection to those fees when noticed in accordance with the Rule; and it is further;

ORDERED that other than the suspension of mortgage payments, the rest of the Chapter 13 Plan (including the monthly plan payments) remains in full force and the Chapter 13 Trustee shall continue to distribute payments to other claims during the period of forbearance in accordance with the Chapter 13 Plan; and it is further;

ORDERED that Debtor is required to file an Amended Chapter 13 Plan that provides for resumption of mortgage payments at least 90 days prior to the last month in the forbearance period; and it is further;

ORDERED that Rule 4001(a)(3) is not applicable and FREEDOM MORTGAGE CORPORATION may immediately enforce and implement this Order granting Relief from the Automatic Stay for the limited purpose of proceeding with and recording (if applicable) the forbearance agreement.

Movant shall serve a copy of this Order on respondent(s), their counsel, the Trustee, and U.S. Trustee. Movant shall file a certificate of service within (3) days hereof.

The hearing scheduled for March 10, 2021 is CANCELLED.



GREGORIO L. TADDONIO **jah**
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to serve:
Mario Hanyon , Esq.

In re:
Mattie M. David
Debtor

Case No. 18-22880-GLT
Chapter 13

District/off: 0315-2
Date Rcvd: Jan 26, 2021

User: dpas
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 28, 2021:

Recip ID	Recipient Name and Address
db	+ Mattie M. David, 54 Areford Boulevard, Uniontown, PA 15401-4659

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 28, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 26, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor ARC Home LLC. bnicholas@kmllawgroup.com
Daniel R. White	on behalf of Debtor Mattie M. David sheila@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com;gianna@zeblaw.com
Kevin M Butterly	on behalf of Creditor WEI Mortgage LLC kbutterly@rascrane.com
Mario J. Hanyon	on behalf of Creditor FREEDOM MORTGAGE CORPORATION wbefc@brockandscott.com mario.hanyon@brockandscott.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnenour	

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cmevf@chapter13trusteewdpa.com

Sindi Mncina

on behalf of Creditor WEI Mortgage LLC smncina@rascrane.com

TOTAL: 7